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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/655,534	09/04/2003	Fred A. Brown	917/A03	5575
2101	7590	04/04/2005	EXAMINER	
BROMBERG & SUNSTEIN LLP 125 SUMMER STREET BOSTON, MA 02110-1618			CLARKE, SARA SACHIE	
			ART UNIT	PAPER NUMBER
			3749	

DATE MAILED: 04/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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10/655,534

EXAMINER

ART UNIT	PAPER
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032005

DATE MAILED:

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Commissioner for Patents

Enclosed is a Notice of Non-Responsive Amendment.

Sara Clarke *S. Clarke*
Primary Examiner
Art Unit: 3749

Response to Amendment

The reply filed on January 27, 2005, is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

In the previous office action, the examiner indicated that claims 12 and 16 would be allowable if rewritten in independent form including all of the limitations of the base claim **and any intervening claims**. However, claim 12 was amended to include only the limitations of base claim 8 and not intervening claim 11. Claim 16 was amended to include only the limitations of base claim 8 and not intervening claim 15. Since amended claims 12 and 16 include combinations of elements not previously presented, and not previously considered on the merits, they are newly presented claims.

37 CFR 1.111(b) requires that a reply must present arguments pointing out the specific distinctions believed to render the claims, **including any newly presented claims**, patentable over any applied references. Applicant has not provided any arguments as to why newly presented claims 12 and 16 are patentable over the applied references.

Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Contact Information

Any inquiry concerning this or earlier communications from the examiner should be directed to Sara Clarke whose phone number is 571-272-4873. The examiner

normally can be reached Mon-Fri, 8:30-1:00.

If attempts to reach the examiner by phone are unsuccessful, the examiner's supervisor, Ira Lazarus, can be reached at 571-272-4877. The fax number for the organization where this application is assigned is 703-872-9306.

Status information for an application is available from the Patent Application Information Retrieval (PAIR) system. Status information for published applications is available from Private or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about PAIR, see <http://pair-direct.uspto.gov>. For questions on access to Private PAIR, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sara Clarke 
Primary Examiner
Art Unit 3749

March 24, 2005